



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/069,371

02/19/2002

Michael Roberts

Roberts 7-9

8134

7590

07/26/2006

Lucent Technologies Inc
Docket Administrator Room 3C 512
600 Mountain Avenue
PO Box 636
Murray Hill, NJ 07974-0636

EXAMINER

WILSON, ROBERT W

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,371

Applicant(s)

ROBERTS ET AL.

Examiner

Robert W. Wilson

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 & 3-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1 & 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Widegren (U.S. Patent No.: 6,374,112).

Referring to claim 1, Widegren teaches: a packet switched network architecture per Figure 1 comprising: a location area (location update per col. 6 line 59 and location area per col. 4 line 1.)

Connected by a radio access network (the combination of 24 & 16 per Figure 1 is the RAN) connected by at least two core networks having differing functionality (ISDN has an inherent packet network and the Internet is a second packet network per Figure 1 and they both have differing functionality and per col. 12 line 11) . The combination of 24 and 16 per Figure 1 or radio access network switch packet transmission from each MS or terminal in a location area (col. 6 line 59 and col. 4 line 1) to one of the ISDN or Internet which are core networks. The combination of 24 and 16 per Figure 1 or radio access network switches packet transmission switched packets from each MS or terminal to one of the ISDN or Internet which are core networks per Figure 1 depending upon the quality of service which the examiner interprets as a dependent upon the capacity associated with either ISDN or Internet or core networks per col. 5 lines 62-col. 6 line 21 or col. 8 line 55-col. 9 line 4

Art Unit: 2616

Referring to claim 4, Widegren teaches: Figure 1 shows an architecture which perform the method of allocating resources in an ISDN and Internet or packet switched mobile network per Figure 1 comprising: allocating a ISDN and Internet or two core networks having differing functionality per Figure 1 to a location area (location update per col. 6 line 59 and location area per col. 4 line 1.). Each MS or mobile user is associated with a different location area per col. 4 line 1 with one of the ISDN or Internet or one of the core networks per Figure 1.

The combination of 24 and 16 per Figure 1 or radio access network switches packet transmission switched packets from each MS or mobile user in a location area per col. 4 line 1 to one of the ISDN or Internet which are core networks per Figure 1 depending upon the quality of service which the examiner interprets as a dependent upon the capacity associated with either ISDN or Internet or core networks per col. 5 lines 62-col. 6 line 21 or col. 8 line 55-col. 9 line 4

Claim Rejections - 35 USC § 103

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren (U.S.

Patent No.: 6,374,112) in view of Architectural Aspects for the Evolution of Mobile

Communications Towards UMTS by Berruto which is an IDS document of record.

Referring to claim 3, the Widegren teaches the packet switched network of claim 1.

Widegren does not expressly call for: core network which includes a MSC comprising a VLR the capacity of the respective core networks being determined by the capacity of the VLR.

Berruto teaches: the RAN will be used to integrate with GSM networks which have VLR and MSC which inherently keep track of resources or capacity of their respective core networks per Pg 1480 Para IV.A. 1. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the MSC with VLR of Berruto to the network architecture of the Widegren in order to integrate the UMTS architecture with the RAN.

4. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren (U.S.

Patent No.: 6,374,112) in view of Architectural Aspects for the Evolution of Mobile

Communications Towards UMTS by Berruto which is an IDS document of record

Referring to claim 5, Widegren teaches: the packet switched network of claim 1 and core networks.

Widegren does not expressly call for: each core network which includes a MSC comprising a VLR the capacity of the respective core networks being determined by the capacity of the VLR.

Art Unit: 2616

Berruto teaches: the RAN will be used to integrate with GSM networks which have VLR and MSC which inherently keep track of resources or capacity of their respective core networks per Pg 1480 Para IV.A. 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the MSC with VLR of Berruto each core network of Widegren in order to integrate another UMTS architecture with the RAN.

Response to Amendment

5. Applicant's arguments with respect to claims 1 & 3-5 have been considered but are moot in view of the new ground(s) of rejection.

The applicant amended claim 1 by changing "same functionality" to "differing functionality" which changes the scope of the independent; therefore, the next rejection is appropriately a final rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

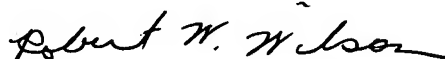
Art Unit: 2616

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571/272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robert W Wilson
Examiner
Art Unit 2616

RWW
7/17/06



DORIS H. TO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600